

ORIGINAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Andrea S. Jony

CV 11 -

4857

COMPLAINT

NAME OF PLAINTIFF(S)

AMR. America
Airlines

AMON, CH.J.

GOLD, M.J.

NAME OF DEFENDANT(S)

This action is brought for discrimination in employment pursuant to (check only those that apply):

☒

Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub. L. No. 102-166) (race, color, gender, religion, national origin).

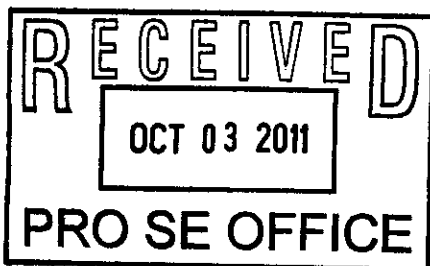
NOTE: In order to bring a suit in federal district court under Title VII, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.

Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 - 634 (amended in 1984, 1990, and by the Age Discrimination in Employment Amendments of 1986, Pub. L. No. 92-592, the Civil Rights Act of 1991, Pub. L. No. 102-166).

NOTE: In order to bring a suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission.

Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 - 12117 (amended by the ADA Amendments Act of 2008, Pub. L. No. 110-325 and the Civil Rights Act of 1991, Pub. L. No. 102-166).

NOTE: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.



Jurisdiction is specifically conferred upon this United States District Court by the
aforementioned statutes, as well as 28 U.S.C. §§ 1331, 1343. Jurisdiction may also be appropriate
under 42 U.S.C. §§ 1981, 1983 and 1985(3), as amended by the Civil Rights Act of 1991,
Pub. L. No. 102-166, and any related claims under New York law.

1. Plaintiff resides at:

2538 Shelburne Road APT 7
Street Address
 VT 05482 917-304-9419
County State Zip Code Telephone Number

2. Defendant(s) resides at, or its business is located at:

4333 Amon Carter Boulevard
Street Address
 FT. WORTH TX 76156
County City State Zip Code

3. The address at which I sought employment or was employed by the defendant(s) is:

4333 Amon Carter Boulevard
Street Address
 FT. WORTH TX 76155
County City State Zip Code

4. The discriminatory conduct of which I complain in this action includes (check only those that apply).

☐ Failure to hire.
☐ Termination of my employment.
☐ Failure to promote.
☐ Failure to accommodate my disability.
☒ Unequal terms and conditions of my employment.
☐ Retaliation

☒ Other acts (specify): allowing my abuse by old, bitter angry white flight staff
 NOTE: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court.

5. It is my best recollection that the alleged discriminatory acts occurred on:

Date(s)

May 23, 2011 (my knowledge)

6. I believe that the defendant(s) (check one)

☒ is still committing these acts against me.

☐ is not still committing these acts against me.

7. Defendant(s) discriminated against me based on my:
(check only those that apply and state the basis for discrimination, for example, what is your religion, if religious discrimination is alleged)

☒ race _____ ☒ color _____
☒ gender/sex _____ ☐ religion _____
☐ national origin _____
☐ age _____ My date of birth is: _____ Date
☐ disability _____

NOTE: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court.

8. The facts of my case are as follows:

Please see attached Complaint Report.

(Attach additional sheets as necessary)

Note:

As additional support for your claim, you may attach to this complaint a copy of the charge filed with the Equal Employment Opportunity Commission, the New York State Division of Human Rights, or the New York City Commission on Human Rights.

9. It is my best recollection that I filed a charge with the New York State Division of Human Rights or the New York City Commission on Human Rights regarding defendant's alleged discriminatory conduct on:

Date

June 27, 2011

10. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct on:

Date

May 2, 2011

Only litigants alleging age discrimination must answer Question #11.

11. Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct (check one),

☐ 60 days or more have elapsed.

☒ less than 60 days have elapsed.

12. The Equal Employment Opportunity Commission (check one):

☐ has not issued a Right to Sue letter.

☒ has issued a Right to Sue letter, which I received on July 14 2011
Date

NOTE: Attach a copy of the Right to Sue Letter from the Equal Employment Opportunity Commission to this complaint.

WHEREFORE, plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, costs, and attorney's fees.

Dated: 10/03/11


PLAINTIFF'S SIGNATURE

2538 Shelburne Road
Address

Shelburne, VT 05482

917 304 9419
Phone Number

Andrea S Jones
2538 Shelburne Road
APT 1
Shelburne, NY 05482

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF BROOKLYN NEW YORK

Andrea S Jones,

Plaintiff,

Vs.

AMR Corporation; American Airlines,

JURY TRIAL DEMAND

COMPLAINT

Plaintiff Andrea S Jones brings this action to obtain and redress the deprivation and conspiracy to deprive Plaintiff of her federally protected rights as hereafter alleged and for intentional infliction of emotional distress and for defamation. AMR has chosen to allow me to be abused by Janice Barnikow and her former TWA co-workers because they are old and Caucasian.

Defendant

Plaintiff is Andrea S Jones (hereafter "Andrea") brings forth the following causes of action and alleges the following:

1. Plaintiff is an individual and resident of Shelburne , USA
2. Defendant is a corporation and at the time of this complaint, a resident of Dallas-Fort Worth, USA
3. On or about May 23, 2011, Plaintiff contacted Flight Service in reference to new knowledge of Flight Attendant Janice Barnikow employment with America Airlines; a subsidiary of American Airlines.
4. On or about May 23, 2011, Plaintiff was told of Janice Barikow a former TWA Flight Attendant acquired by American Airlines in 2011 was terminated from American Eagle a subsidiary of AMR for using racial and sexual languages in reference to me. As her hate speech violated Article 32 of AMR rules and conducts for the workplace she was terminated from Flight Attendant training with American Eagle while on furlough from American Airlines.
5. American Airlines Flight Service was told of this incident on or about May23, 2011 and many times after. American Airlines Flight Service claimed to not have knowledge of her termination

from American Eagle or her violation of AMR's Article 32 rules of conduct. As of today, Flight Service has been contacted numerous times and was ask for a document in writing as to why AMR will forgo its own legal rules and regulation and has condoned Janice Barnikow's behavior. AA; AMR will not speak to me about this matter as to why Janice Barnikow has continue to receive a paycheck from AMR; AA and has also continued to libel me on the TWA secret website and slander me in the workplace. I came in contact with Janice Barnikow on July 31, 2011 at Flight Service at LaGuardia Airport.

6. AMR to date has not addressed these issues with Flight Attendant Barnikow and has refused to terminate her for hate speech against me even though the speech violates all of AMR rules. AMR has chosen instead to condone and protect her since she is old and Caucasian.
7. Plaintiff has also told the Association Of Professional Flight Attendants union of the incident and the union can do nothing if AMR has chosen in this instance to violate their own rules for Janice Barnikow.
8. AMR was also made aware of Janice Barnikow and her former TWA co-workers now AMR Flight Attendants and a secret website that is use to bully me and libel my name and is use to encourage those with access to the website on how to terminate me and still AMR has refuse to defuse the form of hate and torment towards me.

COUNT – DISCRIMINATION AND NEGLIGENCE

Defendant failed to follow and enforce its own rules of hate and discrimination in the workplace. AMR has promoted an unsafe and vicious workplace for me. Plaintiff is entitled to equal protection. AMR has protected Janice Barnikow and former TWA Flight Attendants and has allowed and impose a hostile work environment on plaintiff.

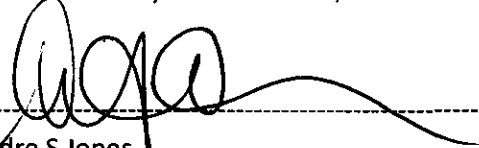
The behavior by AMR in promoting such an environment of hate and hostility towards me is emotionally draining and torturing. Such infliction of emotional distress By Janice Barnikow and the former TWA Flight Attendants which clearly violates AA rules of conduct is reckless, intentional, persistent and continuous.

As this goes beyond all human decency, I am asking the court to let AMR see clearly that their actions of condoning vile hate is horrible and intolerable in a civilized society and proper work environment.

DAMANGES

WHEREFORE, Plaintiff seeks compensatory damages in the amount of \$100,000,000 together with attorney fees and court costs.

Dated on 3rd day of October, 2011



Andre S Jones

EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Andrea Jones**
P.O. Box 4592
Burlington, VT 05406

From: **New York District Office**
33 Whitehall Street
5th Floor
New York, NY 10004

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

520-2011-02525

Michael Huber,
Investigator

(212) 336-3766**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Kevin J. Berry
Kevin J. Berry,
District Director

JUN 27 2011

(Date Mailed)

Enclosures(s)

cc: **Respondent:**
AMERICAN AIRLINES
4333 Amon Carter Blvd
Md 5675
Fort Worth, TX 76155

INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

*(This information relates to filing suit in Federal or State court under Federal law.
If you also plan to sue claiming violations of State law, please be aware that time limits and other
provisions of State law may be shorter or more limited than those described below.)*

PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act (GINA), or the Age Discrimination in Employment Act (ADEA):

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge **within 90 days of the date you receive this Notice**. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was mailed to you** (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit **before 7/1/10** -- not 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.

BERNARD SANDERS
VERMONT

COMMITTEES:
BUDGET

ENERGY AND NATURAL RESOURCES

ENVIRONMENT AND PUBLIC WORKS

HEALTH, EDUCATION, LABOR, AND
PENSIONS

VETERANS' AFFAIRS

JOINT ECONOMIC

United States Senate

WASHINGTON, DC 20510-4504

August 17, 2011

332 SENATE DIRKSEN OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-5141

1 CHURCH STREET, 2ND FLOOR
BURLINGTON, VT 05401
(802) 862-0697
1 (800) 339-9834

www.sanders.senate.gov

Ms. Andrea Jones
PO Box 4592
Burlington, Vermont 05406

Dear Ms. Jones:

Thank you for contacting Senator Sanders regarding your current situation. We understand that you are interested in pursuing a workplace complaint of racial discrimination and cyber bullying. The purpose of this letter is to provide information that we hope will be helpful to you.

You indicated in your letter that the U.S. Equal Employment Opportunity Commission (EEOC) is not going to help you. As you can see from the information we have enclosed from the EEOC's website (www.eeoc.gov), it appears as though there is a process in place if you are not satisfied with the EEOC's decision. You can ask the Office Director where you filed your charge to reopen the charge and reconsider the decision. It appears that in order to do this you must be able to provide either important new information that the EEOC did not have when they made their decision, or show that the EEOC incorrectly analyzed the evidence you provided. Please be aware that you must make your request before the Notice of Right-to-Sue (NRTS) has expired. The NRTS is a legal notice issued by the EEOC with the decision, which allows you to file a lawsuit in Federal or state court within 90 days. Please read over the enclosed document from the EEOC entitled What can I do if I disagree with EEOC's decision on my private sector charge? This document contains important information about what you would need to do to pursue this matter and what the limitations are in terms of timeframes, etc. We have included contact information for the EEOC's New York District Office, which has jurisdiction over Vermont.

We have enclosed information about the Civil Rights Unit of the Vermont Office of the Attorney General. As you can see from the enclosed information, the Civil Rights Unit is a "deferral agency" for the EEOC. This means that they can accept complaints of discrimination under Federal law. It appears that complaints may be filed with the Civil Rights Unit instead of, or in addition to filing with the EEOC. Please be aware that most complaints must be filed with the Civil Rights Unit within 300 days of the last incident of discrimination. You can contact the Vermont Office of the Attorney General by calling (802) 828-3171.

You also have the right to consult with a private attorney. Should you need help finding a private attorney the Vermont Lawyer Referral Service should be able to refer you to an attorney in your area. The Vermont Lawyer Referral Service provides a service in which you pay no more than \$25 for a 30-minute phone consultation with an attorney. You can reach the Vermont Lawyer Referral Service by calling 1-800-639-7036.

We hope this information is helpful and that this matter is resolved in a manner that is satisfactory to you. It is important for our office to hear about the issues Vermonters are facing and we appreciate you contacting us regarding your current situation. Please feel free to contact us if Bernie may be of assistance in the future.

Sincerely,



Kelley Goulette

Constituent Advocate for U.S. Senator Bernard Sanders

To: Denise Lynn (141371)
Cc:
From: ANDREA JONES (593102)
Subject: Concern over a Article 32 Incident
Received: 8/25/2011 8:30:00 PM

Hello Ms. Lynn,

I hope that all is well. I recently reported an incident where F/A Barnikow was terminated from American Eagle for using unacceptable racial and sexual terms towards me. American Airlines recalled Ms. Barnikow once more without investigating her termination from American Eagle. Flight Service has been informed about this F/A's action since May 2011 and yet nothing has been done to rectify this incident.

Since Ms. Barnikow violated AMR rules and regulations and AA has refused to hold her accountable for such behavior, I will need a statement in writing explaining why AA has chose to accept and justify her actions even though her actions clearly violated AMR rules as written on the Benefits page of rules and conduct on Jetnet.

I have contacted HR and was disconnected twice. My request and complaint was not taken with a serious attitude and I was also told that they were in Manila Philippines.

Please be aware that incident must and will be address. I am asking for your assistance in obtaining this statement.

Thanks,
Andrea

[Home](#)[My Benefits](#)[My Pension](#)[Email](#)[Chat](#)**Case Manager****Case Detail Information**[Manage Your Issues](#)

This issue is closed. To reopen it, please call the call center.

Issue Information**Issue Number:**

1-CCI3YR

First Name:

ANDREA

Last Name:

JONES

Date Opened:

8/22/2011 11:14 PM

Date Closed:

8/24/2011 3:57 PM

Issue Description

Janice Barnikow 648135 is currently employed at AA. She was fired from American Eagle I calling me racial names. AA never checked the records when she was recalled. This matter brought to FLT SVCS attention at LGA and yet F/A Barnikow is still employed at AA. AA will deal with this issues but I must. Please issue me something in writing stating that Ms. Barr is justified in her racial remarks towards me and that AMR will pick and chose who is excus from all sanctions within the umbrella at AMR;thank you.

Alternate Contact Information:

Phone: 917-304-9419

Email: andreasmjones@aol.com

Issue Activity Detail**Resolution**Issue closed by YourCorp Representative on **8/24/2011**

Thank you for your inquiry Ms. Jones,

I do apologize, however we specifically handle medical and pension benefits in this departr
For further assistance you will need to contact the POLICY Department at 1.800.447.2000
3.

To ensure the service you received was satisfactory, we would like to request your particip
in our Customer Satisfaction Survey. Please copy and paste the following URL in another
browser. Please click "Finish" once you've completed the survey.

<https://survey7.mercerhrs.com/cgi-bin/qeebcorporate.cgi?idx=76RG8B>

If you have any additional questions, please let us know.

Thank you,
Aishia Hayes
Online Services Specialist

-----Original Message-----

From: andreamjones@aol.com
Sent: 8/22/2011 11:14:58 PM
Subject: Janice Barnikow 648135 is currently employed at AA. She was fired from American Eagle for calling me racial names. AA never checked the records w...

Janice Barnikow 648135 is currently employed at AA. She was fired from American Eagle for calling me racial names. AA never checked the records when she was recalled. This matter brought to FLT SVCS attention at LGA and yet F/A Barnikow is still employed at AA. AA will deal with this issues but I must. Please issue me something in writing stating that Ms. Barr is justified in her racial remarks towards me and that AMR will pick and chose who is excused from all sanctions within the umbrella at AMR;thank you.

 Go Back

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MEI

Sent: Mon, Aug 22, 2011 12:42 pm
Subject: RE: Unfairness

HI Andrea,

I understand how you feel. I can't truly feel it since i've never been in that position.

I have talked to Christian about this and he agree's with me.

You need to call Human Resources and file a complaint with them. Christian and I believe that Madeline may not actually have known what she was speaking about when she was referencing the AE info.

Inquire with HR as to how here termination from AE due to racial slurs did not carry over to her employment with American.

If you need me present I am happy to be there.

I just want you to consider that people do change.

be well and call me if you want to talk about this.

Eric Hodgson
LGA Vice Chairperson
Home Office (347) 639-0241

The content of this email is intended solely for the recipient(s). It is not to be shared, forwarded, or posted without the author's written consent.

From: Andrea S M Jones [andreasmjones@aol.com<<mailto:andreasmjones@aol.com>>]
Sent: Friday, August 19, 2011 3:59 PM
To: Eric Hodgson
Subject: Unfairness

I guess I assumed that AA truly believed that certain kinds of hate does not belong in the workplace. If AE can see that there should be no room for such vile hate there and it should be sopped when it shows itself; why would AA feel that it should not be addressed. Can you imagined if I had said such hateful things about anyone. I speak my mind clearly but in all of my life I have never attacked anyone based on race, religion or such.

I believe that AA can never address this based on history with her and her former company story. For her to say hello to me at LGA says she is aware that she can do whatever she feels to someone like me and it is OK for management at AA.

It's fine have two weeks to figure something out; thanks.

From: Andrea S M Jones <andreasmjones@aol.com>
To: vclga@apfa.org
Subject: Re: Unfairness
Date: Tue, Aug 23, 2011 2:40 pm

Eric, thanks for responding. I will be careful when I speak to AA. I went to the Benefits page of Jetnet and saw the rules of what we can say and cannot say to fellow co-worker and you can be terminated for racial slurs. I have no respect for her and no sympathy. My great-grandmother use to always tell us that our very own words tells who we are and defiles us. I will call her what she is- she is very hateful.

-----Original Message-----

From: Eric Hodgson <vclga@apfa.org>
To: andreasmjones@aol.com <andreasmjones@aol.com>
Sent: Tue, Aug 23, 2011 12:52 pm
Subject: FW: Unfairness

Andrea,

Might I remind you my dear that you do NOT know what she is or has gone through since her interaction with you and you are being very judgemental. It is not for you to decide who deserves to be terminated or not.

Just some friendly advice. Also, I wouldn't bring up how you feel on the phone with HR as the calls are recorded.

Be careful with that!

Eric Hodgson
LGA Vice Chairperson
Home Office (347) 639-0241

The content of this email is intended solely for the recipient(s). It is not to be shared, forwarded, or posted without the author's written consent.

From: Andrea S M Jones [andreasmjones@aol.com]
Sent: Monday, August 22, 2011 6:50 PM
To: Eric Hodgson
Subject: Re: Unfairness

Eric,

I will find out how to call HR and see if they will address this. She meant it she is in her 60's; what change can come to her if she spent her entire life hating people like me. She deserve to be terminated. Yes, I would like someone present.

Thanks Eric

-----Original Message-----

From: Eric Hodgson <vclga@apfa.org>
To: Andrea S M Jones <andreasmjones@aol.com>

To: ANDREA JONES (593102)
Cc:
From: MADELINE MENDEZ-COLLAZO (446879)
Subject: RE: RE: RE: RE: RE: Janice Barnikow
Received: 8/8/2011 9:32:53 AM

----- Manager to F/A Message. -----

Andrea,

Trust me...I was aware and find this alarming.

Can you provide the website so I can ensure that HR has it and follows up?

Thanks,
Madeline

---Original Message---

From: ANDREA JONES (593102)
Sent: 8/3/2011 12:08:00 PM
To: MADELINE MENDEZ-COLLAZO (446879)
Subject: RE: RE: RE: RE: Janice Barnikow

Madeline, the recalls has website based on frustration and hate. they speak very freely on it. They do all the venting on it. We were told about it by one of the recall. The company is aware and so is the union. This is were the slandering of my name began and has remaind.

I believe you as at this moment that you did not know but AA the corporation knows all too well about this. Madeline in the last letter about me in the meeeting with Eric when the recall claimed she was told by many twa that I am so awful well I have been on thier website for years, yes years as one to hate.

I am surprised as their concern should have been to retire with some dignity and grace instead of spreading lies about. This has been a long process with AA only ignonring me for saying enough when I am being attacked.

---Original Message---

From: MADELINE MENDEZ-COLLAZO (446879)
Sent: 8/2/2011 8:07:27 AM
To: ANDREA JONES (593102)
Subject: RE: RE: RE: Janice Barnikow

Hi Andrea,

From my understanding, this matter was handled by AA's HR department. But will share your concern with the HR department.

What website?

Madeline

---Original Message---

From: ANDREA JONES (593102)
Sent: 8/1/2011 10:20:32 PM
To: MADELINE MENDEZ-COLLAZO (446879)
Subject: RE: RE: Janice Barnikow

I am also a bit confused as AA never handled the matter. She had the nerve to speak to me here at LGA Sunday, August 31, 2011. Let me ask point blank - when will se be fired? Why was she portected by AA to do as she pleases? You did say that AA would address this but I can see that they never will. Madeline, is this the first time you have heard about their private website and how it is used?

Subject: RE: RE: RE: Janice Barnikow

Hi Andrea,

From my understanding, this matter was handled by AA's HR department. But will share your concern with the HR department.

What website?

Madeline

---Original Message---

From: ANDREA JONES (593102)
Sent: 8/1/2011 10:20:32 PM
To: MADELINE MENDEZ-COLLAZO (446879)
Subject: RE: RE: Janice Barnikow

I am also a bit confused as AA never handled the matter. She had the nerve to speak to me here at LGA Sunday, August 31, 2011. Let me ask point blank - when will se be fired? Why was she portected by AA to do as she pleases? You did say that AA would address this but I can see that they never will. Madeline, is this the first time you have heard about their private website and how it is used?

Thanks Madeline, I will never discuss this with you again and for AA it is settled and for me it is not.

---Original Message---

From: MADELINE MENDEZ-COLLAZO (446879)
Sent: 8/1/2011 2:16:11 PM
To: ANDREA JONES (593102)
Subject: RE: Janice Barnikow

Hi Andrea,

Hope all is well with you and it was nice to see you last week.

Am a bit confused as this matter was address at our meeting on July 1st with Eric. The matter was handed by both sides; AE and AA.

Did everyhting go well with Terry?

Regards,
Madeline

-Original Message-

From: ANDREA JONES (593102)
Sent: 7/31/2011 11:47:12 AM
To: MADELINE MENDEZ-COLLAZO (446879)
Subject: Janice Barnikow

Hi Madeline,

How are you? Hope that you are enjoying your new position at LGA. I know Maria is now my manager, but I prefer to ask you: Do you know when AA will finish this investigation of F/A Barnikow? I am just amazed how I was disregarded to accommodate her and make AMR Article 32 irrelevant to accept her behavior because it was towards me.

Also, from day one; ever since AA recalled the former TWA F/A's, they have spread hate against me and two other pursers on their personal/private website for years and AA has allowed this cyber bullying to go and tarnish and poisoned others against my name for years and AA has allowed that too. The letter that I was shown in your office telling how she was told about me and my hate for TWA F/A's came off their website.

This is no longer freedom of speech and expression it is hate and malicious. Please tell me where I should address this matter

so the problem can be cure now. This is now affecting me and my well being..I will need to address this matter with someone at AA to see when Ms. Barnikow will need to explain this incident to AA as she had to to AE.

Thanks

Thanks Madeline, I will never discuss this with you again and for AA it is settled and for me it is not.

---Original Message---

From: MADELINE MENDEZ-COLLAZO (446879)
Sent: 8/1/2011 2:16:11 PM
To: ANDREA JONES (593102)
Subject: RE: Janice Barnikow

Hi Andrea,

Hope all is well with you and it was nice to see you last week.

Am a bit confused as this matter was address at our meeting on July 1st with Eric. The matter was handed by both sides; AE and AA.

Did everyhting go well with Terry?

Regards,
Madeline

-Original Message---

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Thanks

To: ANDREA JONES (593102)
CC:
From: MADELINE MENDEZ-COLLAZO (446879)
Subject: RE: FA Barikow
Received: 6/1/2011 1:45:33 PM

Hi Andrea,

Thank you, I will look into this.

Madeline

---Original Message---

From: ANDREA JONES (593102)
Sent: 6/1/2011 1:16:35 PM
To: MADELINE MENDEZ-COLLAZO (446879)
Subject: FA Barikow

Hi Madeline,

How are you? In reference to the class that F/A Barnikow was asked to leave while in Eagle training; the F/A's who were her classmates may be b be willing to say much as they fear retaliation from AA.

Please see if you can get this information from American Eagle as they would respect your official position in AMR. This is an official matter that was documented so it should be easy for AMR to access its own record.

Thanks

To: MADELINE MENDEZ-COLLAZO (446879), ANDREA JONES (593102)
CC:
From: MILLIE ROGOWSKI (309414)
Subject: **Your voicemail**
Received: 5/26/2011 7:46:39 AM

Hi Andrea,

I did get your vmail and apologize I had been out of the office for a week. I know Madeline is working on this and she will circle back with you.

Regards,
Millie

To: ANDREA JONES (593102)
Cc:
From: MADELINE MENDEZ-COLLAZO (446879)
Subject: RESEND: RE: Racial Slurs
Received: 5/26/2011 12:54:09 PM

----- Manager to F/A Message. -----

Good Afternoon Andrea,

I did retrieve your message on Wednesday and do apologize for not responding sooner as I was all last week in DFW and at LGA all day on Tuesday. Nevertheless, I am looking into this as this was the first I heard of this through your notification.

Fa Barikow's FSM is not in the office today, therefore, I will follow-up with her tomorrow. In the interim, I would ask for your patience while I investigate this.

Much appreciated,
Madeline

-----Original Message-----

From: ANDREA JONES (593102)
Sent: 5/26/2011 10:50:05 AM
To: MADELINE MENDEZ-COLLAZO (446879)
Subject: Racial Slurs

Hello Madeline,

It has come to my attention that F/A Janice Barikow #648135 is currently employed with American Airlines and is based at LGA.

While she was in American Eagle training during one of many AA furloughs, Ms. Barnikow was asked to leave for using racial slurs in reference to me in the presence of other trainees.

Complaints were filed about Ms. Barnikow's comments and she was asked to leave training.

My question is since her comments were such a clear violation of the Rule 32 within AMR corporate subsidiary, how is it that she is entitled to employment at American Airlines?

Please address. I appreciate your prompt response to this matter.

Fwd: Important question

Case 1:11-cv-04857-CBA-SMG Document 1 Filed 10/03/11 Page 23 of 30 Page # 231

From: Andrea S M Jones <andreamjones@aol.com>

To: communications <communications@apfa.org>

Subject: Fwd: Important question

Date: Sat, Sep 17, 2011 1:11 pm

-----Original Message-----

From: Andrea S M Jones <andreamjones@aol.com>

To: contractreps <contractreps@apfa.org>

Sent: Sat, Sep 17, 2011 10:09 am

Subject: Fwd: Important question

-----Original Message-----

From: Andrea S M Jones <andreamjones@aol.com>

To: contract <contract@apfa.org>

Sent: Sat, Sep 17, 2011 10:06 am

Subject: Important question

Hi Brent,

I hope that all is well. Please have the APFA attorney on staff contact me, please. I am willing to take necessary legal actions against by September 27, 2011 and was told to ask 'my' union questions first.

Thanks;

Andrea/593102

From: General, Inspector (OIG) (OIG) <Inspector.General@usdoj.gov>
To: Andrea S M Jones <andreamjones@aol.com>
Subject: RE: Complaint
Date: Tue, Sep 13, 2011 6:23 pm

Dear Ms. Jones:

The purpose of this letter is to acknowledge receipt of your email dated August 15, 2011. The matters that you raised have been reviewed by the staff of the Investigations Division, Office of the Inspector General.

The primary investigative responsibilities of this office are:

- Allegations of misconduct committed by U.S. Department of Justice employees and contractors; and
- Waste and abuse by high ranking Department officials, or that affects major programs and operations.

This Office does not have jurisdiction in the matter you described. Therefore, we are unable to assist you.

We regret that we are unable to assist you further.

Sincerely,

Office of the Inspector General
U.S. Department of Justice

From: Andrea S M Jones [mailto:andreamjones@aol.com]
Sent: Monday, August 15, 2011 11:38 AM
To: General, Inspector (OIG); GovernorVT@state.vt.us
Subject: Complaint

Hello,

I would like to file a complaint of racial discrimination and cyber bullying in the workplace that has been brought to the attention of management and yet nothing has been done to rectify the problem I filed a report with EEOC and they are not going to help me. The issues is till going on and I would like have this matter address as all of my rights are being ignored. Please let me know if your office will assist me.

Thanks

ANDREA JONES
October 3, 2011

click image to chat with a HR specialist

Hate-Related Behavior

American Airlines does not tolerate hate-related behavior, even if it was intended as a joke. Hate-related behavior will result in immediate termination of employment, regardless of length of service and prior employment record.

Hate-related behavior is any action or statement that suggests hatred for or hostility toward a person or group because of their race, sex, sexual orientation, religion, or other protected characteristic. This includes, but is in no way limited to, bigoted slurs, drawings, and symbols such as a hangman's noose, a swastika, or graffiti.

Refer to the **Examples of Inappropriate Words** for a list of words and phrases which, when used, may lead to immediate termination of employment. Use appropriate discretion in viewing and printing the materials.

For more information, see:

- * **Work Environment Communication**
- * **Overview of Work Environment**
- * **Conduct**
- * **Harassment**

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ANDREA JONES
October 3, 2011

click image to chat with a HR specialist

Unlawful Harassment

American Airlines does not tolerate unlawful harassment or discrimination. The Company is committed to providing a **work environment** for all employees free of unlawful harassment, including **sexual harassment**. American strictly prohibits harassment because of race, sex, gender, gender identity, religion, color, national origin, ancestry, mental or physical disability, medical condition, union or non-union affiliation, marital status, age, sexual orientation, or any other basis protected by federal, state, or local law or ordinance.

The law prohibits any form of protected-basis harassment that impairs an employee's working ability or creates an intimidating, hostile, or offensive work environment. Offensive behavior that could lead to a finding of unlawful harassment may take a variety of forms, including verbal, physical, and visual contact, threats, demands, and retaliation including, but not limited to:

- * Verbal conduct such as epithets, derogatory comments, jokes or slurs, or unwelcome sexual advances, invitations, or comments;
- * visual conduct such as derogatory or otherwise offensive posters, cards, objects, symbols, calendars, photographs, cartoons, graffiti, drawings, or gestures;
- * physical conduct such as assault, unwelcome touching, blocking normal movement, or interfering with work;
- * graffiti that is written, painted, sprayed, or otherwise communicated on AA property;
- * threats and demands to submit to sexual requests in order for an employee to keep his or her job or avoid some other loss, or offers of job benefits in return for sexual favors; or
- * retaliation for having resisted or reported or threatened to report harassment.

American Airlines' Unlawful Harassment Policy applies to all persons working on behalf of the Company. It prohibits harassment by any employee including Managers and co-workers, as well as by any person doing business with or for the Company. Management is responsible for ensuring that this policy is followed. Employees violating this policy - and Managers who condone violations of this policy - may be terminated.

For more information, see:

- * [Conduct](#)
- * [Reasonable Accommodation for Disabilities](#)
- * [Religious Accommodation](#)
- * [Reporting Harassment](#)

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ANDREA JONES
October 3, 2011

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Rules of Conduct

As an American Airlines employee, you can expect a safe and productive workplace that ensures your ability to succeed and grow with your job. The rules listed below represent the guidelines and principles that all employees work by at American.

- * Attendance
- * Performance of Work
- * Safety
- * Personal Conduct

Attendance

1. Report for work on time.
2. Call in when absent and when you expect to be late as far in advance of your scheduled starting time as possible. Three (3) consecutive days absence without advising the Company will be grounds for dismissal.
3. During your tour of duty, remain in the area necessary for the efficient performance of your work.
4. Remain at work until your tour of duty ends unless you are authorized to leave early.
5. Check on or off duty in the prescribed manner and for yourself only.
6. Unauthorized appearance on the premises of the Company while off-duty is restricted and your presence must not interfere with the orderly work of others who are on duty.

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Performance of Work

7. Follow instructions received from a member of management. Insubordination will not be tolerated. (Revision of this rule, March 27, 2009)
8. Use only the machines or equipment to which you are assigned or specifically authorized to operate.
9. Do not enter, climb upon, or fly Company airplanes unless authorized to do so.
10. Be sure to observe security and smoking regulations in all areas in which you work or visit. (Revision of this rule, May 1, 1972).
11. Wear suitable clothing for your work and take pride in your neatness and appearance.
12. Cooperate with other employees, thus avoiding delays in flights and poor service to the public.
13. Avoid damaging Company property and the property of others.
14. Report any damaged property or defective work immediately upon discovery.
15. Loafing, sleeping on the job, or intentional restriction of output is prohibited.
16. Misrepresentation of facts or falsification of records is prohibited.

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Safety

17. Work carefully. Observe posted or published regulations.

18. Use safety equipment.
19. Report immediately to a member of management, accidents or injury sustained on the job.
(Revision of this rule, June 11, 2010)

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Personal Conduct

20. Be courteous and helpful to our patrons, passengers, and visitors.
21. Do not make false or slanderous statements about the Company, its employees, or patrons.
22. See that your conduct reflects credit upon AA. This includes paying your just debts, thereby avoiding complaint from creditors or garnishment proceedings.
23. Conduct yourself in a moral and decent manner.
24. Consider the welfare of the Company and your fellow employees. Perform no act that is detrimental to either.
25. Reporting for or carrying on work while showing any signs of the use of intoxicants, or knowingly permitting another employee to do so, is prohibited. Testing positive for the use of intoxicants is also prohibited. (Revision of this rule, January 1, 1995).
26. Unauthorized possession or using any intoxicants on Company premises at any time, or drinking intoxicants in public while wearing a uniform with Company emblem or insignia, is prohibited. (Revision of this rule, January 1, 1995).
27. Distributing or posting literature on Company property, or posting or removing bulletin board notices requires prior authorization of the Company.
28. Soliciting, collecting, or accepting contribution on Company time requires Company authorization.
29. The use of Company time, material, or facilities for purposes not directly related to Company business, or the removal or borrowing of Company property without permission is prohibited. Employees are responsible for the safekeeping of corporate resources with which they have been entrusted. (Revision of this rule, September 1, 1998).
30. Gambling of any kind on Company premises is prohibited.
31. Horseplay, fighting, or scuffling on Company premises at any time is prohibited.
32. Behavior that violates the Company's Work Environment Policy, even if intended as a joke, is absolutely prohibited and will be grounds for severe corrective action, up to and including termination of employment. This includes, but is not limited to, threatening, intimidating, interfering with, or abusive, demeaning, or violent behavior toward, another employee, contractor, customer, or vendor, while either on or off duty. Behavior that is also **hate-related** will result in immediate termination of employment, regardless of length of service and prior employment record.
33. Possessing, manufacturing, distributing, dispensing or using in any fashion (including, but not limited to, by injection, inhalation, ingestion, or application) any narcotic, barbiturate, mood-affecting, tranquilizing, or hallucinogenic substance (other than in accordance with medical authorization) in any fashion which affects or could affect judgment, performance, or safety, while either on duty or off duty is prohibited. As required by the Drug Free Workplace Act of 1988 employees must report to their Manager any convictions under a criminal drug statute for violations occurring on or off Company premises while conducting Company business within five (5) working days after the conviction. (Revision of this rule, September 5, 2000).
34. Dishonesty of any kind in relation with the Company, such as theft or pilferage of Company property, the property of other employees or property of others entrusted to the Company, or misrepresentation in obtaining employee benefits or privileges, will be grounds for dismissal and, where the facts warrant, prosecution to the fullest extent of the law. Employees charged with a criminal offense, on or off duty, may immediately be withheld from service. Any action constituting a criminal offense, whether committed on duty or off duty, will be grounds for dismissal. (Revision of this rule, April 10, 1984).
35. An employee may not seek to influence the hiring, transfer, promotion, or discipline of a relative in any way, including inquiries about such actions. Failure to abide by this rule will

result in disciplinary action against the employee up to and including termination. If the infraction involves interference in the hiring of a relative, the employee's relative will not be considered for employment. (Effective March 19, 1990).

36. The possession of firearms, explosives, or other weapons on Company property, or while attempting to access secured areas, aircraft, or Company property, or knowingly permitting another employee to do so is strictly prohibited. This includes both on and off duty periods. (Revision of this rule, January 1, 1995).

Note: U.S. Department of Homeland Security, Transportation Security Administration (TSA) and its applicable rules and regulations, govern the Federal Flight Deck Officers (FFDO) program.

37. Abuse of travel privileges will be grounds for dismissal. (Effective September 1, 1998).

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Violations of any of the American Airlines Rules of Conduct (listed above) or any of the policies in the American Airlines [Standards of Business Conduct](#) could be grounds for immediate termination depending on the severity of the incident or offense and the employee's record. When you were hired by AA, you were required to inform the Company (on the employment application) of any criminal convictions other than minor traffic offenses. In addition to this initial disclosure, you are also required to advise management of any criminal convictions, other than minor traffic offenses, that occur while you are an employee. Use the [Disclosure Form](#) to report such convictions to management. Reporting a conviction will not necessarily result in your termination. The Company will review the conviction and make a determination about your continued employment. Failure to report such a conviction, however, can result in corrective action up to and including the termination of your employment with the Company.

Serious Incidents or Offenses

Some violations of our [Guiding Principles](#) and Rules of Conduct will result in immediate termination. For example, insubordination, violating our [Alcohol and Drug Policy](#), abusing [travel privileges](#), aircraft damage, violations of the Work Environment Policy, and job actions could be grounds for immediate termination, depending on the severity of the incident and the employee's record. Hate-related conduct and dishonesty will always result in termination. In cases when immediate termination may be appropriate but additional information is needed, the employee may be [withheld from service](#) while an investigation is conducted.

View a printable version of the [Rules of Conduct](#).

For more information, see:

- * [Other Inappropriate Behavior](#)
- * [Workplace Threats and Violence](#)

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10/3/11

Jones



October 03, 2011 14:15
Receipt #: 120420
VISA #: XXXXXXXXXXXX3703
2011/10/03 14:08

Page: 1

Qty	Description	Amount
87	ES B&W S/S White 8.5 x11	9.57
SubTotal		9.57
Taxes		0.85
Total		10.42

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